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S E C R E T SECTION 01 OF 02 BAGHDAD 002519

SIPDIS

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TAGS: [PHUM](#) [KJUS](#) [PREL](#) [PINS](#) [IZ](#)  
SUBJECT: MOHR TO COORDINATE TCN RELEASE AND TRANSFER

REF: A. BAGHDAD 1404  
[1](#)B. BAGHDAD 2251

Classified By: Deputy Political Counselor Steven Walker for reasons 1.4  
(b) and (d)

[1](#)1. (S) SUMMARY: Minister of Human Rights Wijdan Salim told EmbOffs and Task Force 134 officials on August 7 that her ministry will help with the releases and transfers of third-country national (TCN) detainees in MNF-I custody to their home countries. Wijdan said that since her ministry is the head of a GOI TCN committee, she would be the appropriate GOI contact to validate claims of residency, ensure there are no outstanding Iraqi criminal charges, and help with transfers and releases. She also reiterated her concern about releases for Iraqi detainees in MNF-I custody who are facing delays due to military release procedures. Wijdan said her ministry could help facilitate releases for Iraqi detainees. Regarding TCNs in GOI custody, Wijdan said that Arab states who want their TCNs must ask the Ministries of Interior and Justice for transfer authorization. She added that officials from the Saudi Human Rights Commission asked her if they could visit Iraq in October to visit Saudi detainees. Wijdan said she would send them an official invitation to visit Iraq. END SUMMARY.

[1](#)2. (S) Minister of Human Rights Wijdan Salim told EmbOffs and Task Force 134 (TF134) officials on August 7 that the Ministry of Human Rights (MoHR) can help with the releases and transfers of third-country national (TCN) detainees in MNF-I custody. Wijdan said that the MoHR is the head of a GOI committee on TCNs, which is comprised of representatives from the Ministry of Interior (MoI), Ministry of Justice (MoJ), and Ministry of Foreign Affairs (MFA). She said consequently, the MoHR would be the appropriate GOI contact to assist MNF-I in TCN releases and transfers. Wijdan said the necessary steps would be for TF134 to provide a list of TCNs who wish to repatriate or wish to remain in Iraq. The committee will then validate any claims of Iraqi residency for TCNs who want to stay in Iraq and then see if there are any other outstanding Iraqi criminal charges for those who wish to repatriate. Wijdan added that the committee, along with the ICRC, can help with transfers and releases if needed. (Note: There are currently 175 TCNs in MNF-I custody, and many are awaiting releases in Iraq or to their home countries. End Note.)

[1](#)3. (S) Wijdan reiterated her previous concern about releases for Iraqi detainees in MNF-I custody who are backlogged due to lengthy military release procedures (ref A). She complained that detainees with release orders are still waiting too long to be transferred to the point of capture (which is required under MNF-I policy). She recommended that detainees who want to be released elsewhere, such as in another neighborhood or even at the gate, should be allowed to do so, especially if it requires less travel time. Wijdan said her ministry could help facilitate releases for Iraqi detainees by contacting families and having them meet detainees at the detention facility or even by transporting detainees to where they wish to return. She hoped that this process could be implemented soon starting

with 20-30 detainee releases at a time.

¶4. (C) Regarding TCNs in GOI custody, Wijdan said that the GOI committee works with the ICRC to transfer and release TCNs to their home countries. The ICRC interviews each TCN wishing to repatriate and ensures that the repatriation does not violate the principles of non-refoulement. If TCNs do not wish to repatriate, the GOI determines if they can legally remain in Iraq.

¶5. (C) Wijdan said that TCNs can complete their sentences in their home countries if there is an agreement between the MoJ and the home country government. She said that Acting Minister of Justice Safa al-Safi told all Arab Ministries of Justice that they could take any TCNs into their custody if they send an official letter to the Iraqi MoJ.

¶6. (C) On the issue of Saudi Arabian TCNs, Wijdan said she informed Saudi officials to send a letter requesting transfers of custody to the MoJ. Wijdan said there are 100 Saudi TCNs in GOI custody, mostly in MoJ custody at Ft. Suse prison in Sulaymaniyah. She added that officials from the Saudi Human Rights Commission asked her on August 6 if they could visit Iraq after Ramadan in October to visit the Saudi detainees and tour the country (ref B). Wijdan said she would soon send them an official invitation to visit Iraq but was concerned about where she could house them.

¶7. (S) COMMENT: MoHR's assistance will facilitate MNF-I efforts to reduce detainee numbers, including TCNs. It's logistical assistance for transporting Iraqi detainees back to their point of capture will be especially helpful. Post

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will encourage Wijdan to invite the Saudi Human Rights Commission to Iraq. END COMMENT.  
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